

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

DEBORAH D. PETERSON, et al.,

Plaintiffs,

v.

ISLAMIC REPUBLIC OF IRAN, et al.,

Defendants.

Case No. 13-CIV-9195 (KBF)

**WAIVER OF THE  
SERVICE OF SUMMONS**

TO: Liviu Vogel  
Salon Marrow Dyckman Newman & Broady LLP  
292 Madison Avenue  
New York, NY 10017

1. This law firm is counsel to Banca UBAE, S.p.A. ("UBAE") in the above-captioned action.

2. I have received your request to waive service of a summons in the above-captioned action along with a copy of the Complaint.

3. Without in any way waiving UBAE's defenses or objections to this lawsuit, and specifically preserving UBAE's defenses of lack of personal jurisdiction and subject matter jurisdiction that are currently the subject of a motion to dismiss pending before the Court, UBAE agrees, for the limited purpose of saving the expense of serving a summons and complaint in this case, to waive *only* its objections to the absence of a summons or of service in this case.

4. Even though by virtue of this Waiver of the Service of a Summons, UBAE would have 60 days to answer, move against, or otherwise respond to the Complaint, UBAE's motion to dismiss for lack of personal and subject matter jurisdiction is currently on file with the Court.

Dated: April 29, 2014

THOMPSON HINE LLP

By:

  
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*Counsel for Defendant  
Banca UBAE, S.p.A.*

**Duty to Avoid Unnecessary Expenses of Serving a Summons**

Rule 4 of the Federal Rules of Civil Procedure requires certain defendants to cooperate in saving unnecessary expenses of serving a summons and complaint. A defendant who is located in the United States and who fails to return a signed waiver of service requested by a plaintiff located in the United States will be required to pay the expenses of service, unless the defendant shows good cause for the failure.

“Good cause” does *not* include a belief that the lawsuit is groundless, or that it has been brought in an improper venue, or that the court has no jurisdiction over this matter or over the defendant or the defendant’s property.

If the waiver is signed and returned, you can still make these and all other defenses and objections, but you cannot object to the absence of a summons or of service.

If you waive service, then you must, within the time specified on the waiver form, serve an answer or a motion under Rule 12 on the plaintiff and file a copy with the court. By signing and returning the waiver form, you are allowed more time to respond than if a summons had been served.